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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग III—खण्ड 3

PART III—SECTION 3

लघु प्रशासनों से सम्बन्धित अधिसूचनाएं

Notifications relating to Minor Administrations

UNION TERRORY OF DADRA AND NAGAR HAVELI NOTIFICATION

Silvassa, the 25th November 1978

No. ADM/LAW/FOREST/1875.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Maharashtra Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) Act, 1969 (No. XXIII of 1969) as extended to the Union Territory of Dadra and Nagar Haveli under Government of India, Ministry of Home Affairs, New Delhi's Notification GSR 971 dated the 21st July, 1978, Administrator, Dadra and Nagar Haveli hereby appoints the 1st Day of February, 1979 as the date on which the said Act shall come into force.

By order of the Administrator,

Sd./—
JANAK JUNEJA,
Secretary to the Administrator,
Dadra and Nagar Haveli,
SILVASSA.

ADMINISTRATION OF DADRA AND NAGAR HAVELI NOTIFICATION

Silvassa, the 25th November 1978

No. ADM/LAW/FOR/1876/78.—The following draft Rules "the Dadra and Nagar Haveli Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) Rules, 1978" which the Administrator, Dadra and Nagar Haveli proposes to make in exercise of the powers conferred by Section 13 of the Maharashtra Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) Act, 1969 (No. XXIII of 1969) as extended to the Union Territory of Dadra and Nagar

Haveli by the Government of India, Ministry of Home Affairs, New Delhi vide their Notification No. GSR-971 dated 21-7-1978, are hereby published as required under aforesaid Section of the said Act for the information of persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration after one month from the date of publication in the Government of India Gazette;

The objections shall be received by the Secretary to the Administrator on behalf of the Administrator.

Any objections or suggestions which may be received from any person with respect to the said draft Rules within the period specified above will be considered by the Administrator, Dadra and Nagar Haveli;

1. Short Title

These rules may be called "The Dadra and Nagar Haveli Sale of Trees by Occupants Belonging to Scheduled Tribes (Regulation) Rules, 1978."

2. Definition

(i) "authorised Forest Officer" means a Forest officer not below the rank of Forest Ranger. (ii) "Act" means the Maharashtra Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) Act, 1969 as extended to the Union Territory of Dadra and Nagar Haveli by Government of India, Ministry of Home Affairs under Notification No. GSR-971 dated 21-7-1978. (iii) 'Section' means a Section of the Act.

3. Disposal of applications under Section 4

(1) Applications received under Section 4 shall be disposed off by the Deputy Conservator of Forests within thirty days

from the date of receipt thereof, if necessary, in consultation with a Forest Officer.

(2) Every order passed by the Deputy Conservator of Forests under the proviso to sub-section (5) of section 4 shall specify a period not exceeding seven days within which the contractor shall pay the price which in the opinion of the Deputy Conservator of Forests is reasonable, adequate or, as the case may be, the difference between such price and the amount already paid by the Contractee.

4 Application for permission under Section 6(i)

Every application for permission of the Deputy Conservator of Forests under sub-section (1) of section 6 for sale of trees or felling of trees for selling trees shall be in the form appended to these rules. Such application may be presented in person or by post or through a Forest Officer.

5. Payment with inquiry under Sec. 6(2) shall be completed.

The inquiry under Sub-section (2) of section 6 shall be completed by the Deputy Conservator of Forests within a period of 30 days from the date of receipt of the application by him under Sub-section (1) of that section.

6 Manner of sale of trees where assistance of Deputy Conservator of Forests is sought

(1) Where an occupant has made an application for the assistance of the Deputy Conservator of Forests in selling trees in his holding and the Deputy Conservator of Forests is satisfied that the trees are in absolute ownership of the occupant and duly covered by a Licence issued by the Mamlatdar, Dadra and Nagar Haveli for felling of these trees, the Deputy Conservator of Forests shall forward the application together with accompaniments, if any, to a Forest Officer authorised in this behalf.

(2) On receipt of the application under sub-rule (1) the authorised Forest Officer shall arrange for the demarcation of the land, inspect the trees sought to be sold and mark them for felling and decide whether in the best interest of the occupant, the trees should be sold standing or after felling, conversion and removal departmentally.

(3) Where the authorised Forest Officer decides that the trees should be sold standing, he shall arrange for the demarcation of the lands on which the trees are standing, mark the said trees with special hammer and draw up a record of trees proposed to be sold. He shall also fix the upset price of the trees to be sold in consultation with the Deputy Conservator of Forests and get it approved before the auction.

(4) Where the authorised Forest Officer decides to sell after felling, conversion and removal departmentally, he shall after approval of the Deputy Conservator of Forests, arrange for the felling, conversion and removal of the trees with the help of labour provided by the occupant, if any, or with the help of labour engaged by him.

(5) All sale of trees under this rule shall be made by public auction to the highest bidder. The authorised Forest Officer shall issue a public notice specifying the date, time and place at which the auction shall be held. Such notice shall be issued not less than seven days before the date of the auction. A copy of such notice shall be affixed on Notice Board of the heads of the offices of the Dadra and Nagar Haveli Administration and shall also be sent to the occupant concerned.

(6) At the beginning of the auction, the authorised Forest Officer shall read out the terms and conditions of the auction, as may be settled by him with the approval of the Deputy Conservator of Forests. A person who desires to bid at an auction shall not be allowed to bid unless he deposits at the beginning of the auction of as Earnest Money with the authorised Forest Officer, a sum shown in column 2 of the Schedule hereto in respect of the amount of his bid which he proposes to make as indicated opposite to it in column 1 of that Schedule; and the person whose bid is accepted shall immediately pay the balance of the bid amount to the said officer, failing which the Earnest Money deposited by him shall be forfeited.

SCHEDULE

Col. I Amount of bid	Col. II Sum to be deposited
Rs	Rs.
Upto 100	. 50 or the entire amount of purchase whichever is less
101 to 1,000	. 100
1,001 to 2,000	. 150
2,001 to 5,000	. 200
5,001 to 10,000	. 500
10,001 to 20,000	. 1,000
20,001 to 30,000	. 2,000
30,001 to 50,000	. . 3,000
50,001 to 75,000	. . 5,000
75,001 to 1,00,000	. . 7,500
1,00,001 to 1,50,000	. . 10,000
1,50,001 to 2,00,000	. . 15,000
2,00,000 and above	. . 20,000

(7) On receipt of the balance of the bid amount the authorised Forest Officer shall pass a receipt to that effect in favour of the auction purchaser and confirm the sale.

(8) For the purpose for the sale of trees, it shall be lawful for the authorised Forest Officer to incur expenditure on the following items, namely :

(i) demarcation of lands and marking of trees standing thereon;

(ii) Felling and conversion of trees;

(iii) transport of felled trees from the stump site to the nearest Government sale depot and

(iv) any other items incidental to the sale :

Provided that, expenditure on any of the aforesaid item shall not exceed the wages rate sanctioned by Government or the piece work rate prevalent in the locality.

(9) The authorised Forest Officer shall maintain an accurate record of species, the estimated yield of the trees, girth at breast height, the estimated yield from each tree in the marking list and also of the outturn of the timber and other saleable material, expenditure incurred on felling, conversion and removal and value realised.

(10) Where standing trees are sold, the purchaser shall be required to cut and remove the trees so sold within such reasonable period not exceeding two months from the date of auction as may be fixed by the authorised Forest Officer.

7. Payment of Sale proceed

The proceeds of the sale payable to the occupant whose trees have been sold shall be paid to him in the presence of the sarpanch of the nearest village panchayat and of two respectable persons (not being officials) or of members of Varishta Panchayat residing in the locality.

8. Procedure in deciding appeals

In deciding an appeal under the Act, the appellate authority shall follow the same procedure as is followed by it in deciding appeals under the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971, and rules made thereunder.

FORM

Application to be made by an occupant for permission for sale of trees or for Deputy Conservator of Forests's assistance

in selling trees under the Maharashtra Sale of Trees by Occupants Belonging to Scheduled Tribes (Regulation) Act, 1969.

Name of the applicant

Occupation

Residential address

Scheduled Tribes as defined in the Act.

*2. I request that I may be permitted to sell the tree/trees specified in column 3 of the Table hereto, which is/are standing on the land described in column 1 and 2 of that Table. I enclose an extract from Record of Rights concerning the said land and declare that the trees standing therein are of my ownership and are free from encumbrance of any kind. I also enclose herewith a certified copy of the license received from Mamlatdar, Silvassa for felling and removal of trees. Further, I also enclose a copy of the sale deed entered in regard to sale of these trees.

*3. I request that I may be assisted in selling the tree/trees specified in column 3 of the Table hereto which is/are standing on the land described in columns 1 and 2 of that Table. I enclose an extract from the Record of Rights concerning the said land and declare that the trees standing therein are of my ownership and are free from encumbrances of any kind. I also enclose herewith a certified copy of the license received from Mamlatdar, Silvassa for felling and removal of trees.

TABLE

Survey No.	Description of land		Description of Tree	
	Species	No.		
	Patclad, Village. Survey No. Area (in hectares)			
Place				
Date			(Signature or left hand thumb impression of the applicant.)	
To,			The Deputy Conservator of Forests, Dadra and Nagar Haveli, Silvassa.	

*Strike out whichever is in-applicable.

By order of the Administrator,

Sd/-

JANAK JUNEJA,
Secretary to the Administrator,
Dadra and Nagar Haveli,
SILVASSA.

